



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

K

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,611	06/04/2001	Koji Kamei	0694-147	4070

7590

09/29/2003

Hopgood, Calimafde,  
Judlowe & Mondolino  
60 East 42nd Street  
New York, NY 10165

EXAMINER

CIRIC, LJILJANA V

ART UNIT PAPER NUMBER

3743

DATE MAILED: 09/29/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 3743

***Response to Amendment***

1. This Office communication is in response to amendment and arguments [Paper No. 7] and the request for drawing changes [Paper No. 8], filed on July 16, 2003. Receipt and entry of these papers is hereby acknowledged.

2. While the above-referenced amendment and arguments have been entered in the file, the reply [Paper No. 7] filed on July 16, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the clean copies of the amended and new claims presented via the amendment are not in compliance with the version of 37 CFR 1.121(c) in effect on July 16, 2003. In particular, the "clean" copy of at least each of amended claim 2 and of new claim 16 is instead a marked-up copy of the same including brackets to mark deletions. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

3. Applicant is thus respectfully reminded that amendments to the claims filed after March 1, 2001 must comply with 37 CFR 1.121(c) which states:

(c) Claims

(I) Amendment by rewriting, directions to cancel or add: Amendments to a claim must be made by rewriting such claim with all changes (e.g., additions, deletions, modifications) included. The rewriting of a claim (with the same number) will be construed as directing the cancellation of the previous version of that claim. A claim may also be canceled by an instruction.

(I) A rewritten or newly added claim must be in clean form, that is, without markings to indicate the changes that have been made. A parenthetical expression should follow the claim number indicating the status of the claim as amended or newly added (e.g., "amended," "twice amended," or "new").

Art Unit: 3743

(ii) If a claim is amended by rewriting such claim with the same number, the amendment must be accompanied by another version of the rewritten claim, on one or more pages separate from the amendment, marked up to show all the changes relative to the previous version of that claim. A parenthetical expression should follow the claim number indicating the status of the claim, e.g., "amended," "twice amended," etc. The parenthetical expression "amended," "twice amended," etc. should be the same for both the clean version of the claim under paragraph (c)(1)(I) of this section and the marked up version under this paragraph. The changes may be shown by brackets (for deleted matter) or underlining (for added matter), or by any equivalent marking system. A marked up version does not have to be supplied for an added claim or a canceled claim as it is sufficient to state that a particular claim has been added, or canceled.

(2) A claim canceled by amendment (deleted in its entirety) may be reinstated only by a subsequent amendment presenting the claim as a new claim with a new claim number.

4. **NOTE:** The above version of 37 CFR 1.121 is presented herein for applicant's information since it is the version which was in effect as of the filing date of the above-referenced reply. *However, ALL amendments filed on or after July 30, 2003, including any response to the instant Office communication, must comply with the newly revised amendment practice in accordance with 37 CFR 1.121 which became effective on July 30, 2003, and which is different from the above cited version.*

5. Thus, since the reply filed on July 16, 2003 has been entered in the file prior to the non-compliance with 37 CFR 1.121 being noted, a proper reply by applicant to the instant Office communication would be a **replacement reply** for Paper No. 7 which is in full compliance with the revised version of 37 CFR 1.121 effective July 30, 2003. Please note that a replacement reply for Paper No. 8, the request for drawing changes, need not be filed, however.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ljiljana (Lil) V. Ciric, whose telephone number is (703) 308-3925.

While she works a flexible schedule that varies from day to day and from week to week, Examiner Ciric may generally be reached at the Office during the work week between the hours of 10 a.m. and 6 p.m. ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Bennett, can be reached on (703) 308-0101. The fax phone number is (703) 305-3463.

Application/Control Number: 09/873,611

Page 4

Art Unit: 3743

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0861.

lvc

September 24, 2003



LJILJANA V. CIRIC  
PRIMARY EXAMINER  
ART UNIT 3743